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TO: Examiner Kristal J. Feggins
Fax: (703) 872-9306

FROM: Paula D. Kiser
Legal Assistant
Intellectual Property Law Dept.
Company: Lexmark International, Inc.
Phone: (859) 232-7859
Fax: (859) 232-7850

RE: Resubmission of Papers

U.S. Appln No.: 10/679,070
Filing Date: October 2, 2003
Inventor: Smoot et al.
Attorney Docket No.: 2002-0124.02
Art Unit: 2861
Title: Method for Applying An Encapsulant Material To An Ink
Jet Printhead

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Paula D. Kiser
Paula Kiser

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Practitioner's Docket No. 2002-0124.02

PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Mary C. Smoot et al. : Paper No. _____
Application No.: 10/679,070 : Group No.: 2861
Filed: October 2, 2003 : Examiner: Kristal J. Feggins

For: **METHOD FOR APPLYING AN ENCAPSULANT MATERIAL TO AN
INK JET PRINTHEAD**

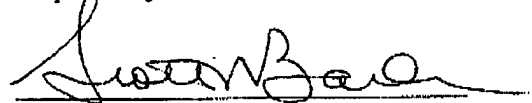
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

MISCELLANEOUS LETTER - RESUBMISSION OF PAPERS

Dear Examiner Feggins:

Pursuant to your telephone inquiry of December 20, 2004, please find attached
copies of the papers filed with the Patent Office in the aforementioned matter on June
29, 2004 (using a Certificate of Mailing). Also included is a copy of the postcard
upon which the Patent Office indicated receipt of the same. If anything further is
needed by the Examiner or by the Office, please contact the undersigned attorney.

Respectfully submitted,



Scott N. Barker
Registration No. 42,292
Lexmark International, Inc.
740 West New Circle Rd.
Lexington, KY 40550
859-232-3668
Customer No. 21972

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Papers Transmittal Sheet, Fee Transmittal Sheet, Response, including
a copy of the IDS filed on October 3, 2003 for initialing and
return, Supplemental Information Disclosure Statement (2 pgs)
and accompanying Information Disclosure Citation (1 pg). Check
Inventor(s) for \$180.00. Return Postcard. Mary C. Smoot et al.

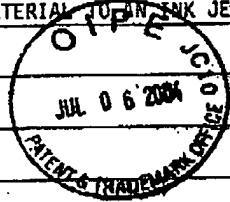
Title METHOD FOR APPLYING AN ENCAPSULANT MATERIAL TO AN INK JET PRINTHEAD

Serial No. 10/679,070

Docket No. 2002-0124.02 (049266-163)

Date Due June 29, 2004

Client Name Lexmark International, Inc. TDL/JFK/mb



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Application of

Applicant : Mary C. Smoot et al.
Serial No. : 10/679,070
Filed : October 2, 2003
Title : METHOD FOR APPLYING AN ENCAPSULANT MATERIAL TO AN INK JET PRINthead
Docket : 2002-0124.02
Examiner : Kristal J. Feggins
Art Unit : 2861

Commissioner of Patents
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Sir:

RESPONSE

This paper is filed in response to the Office action dated March 29, 2004 and is accompanied by a Supplemental Information Disclosure Statement. Reconsideration of the application is respectfully requested.

Claim 13 has been objected to as being of improper dependent form and rejected under 35 U.S.C. §112, second paragraph as being indefinite based on the Office's contention that the claim fails to further limit the subject matter of the independent claim upon which it depends. Applicants respectfully submit that claim 13 is a proper dependent claim and is not indefinite. Claim 13 is a product-by-process claim, which defines a claimed product in terms of the process by which it is made. MPEP §2173.05(p) specifically indicates that product-by-process claims are acceptable and comply with 35 U.S.C. §112, second paragraph. Accordingly, applicants respectfully request that the objection and rejection of claim 13 be withdrawn. Claims 1-5, 7 -